9-F319-92

G. R. S. IX-5]

Previous references. 1892-3

~~191~~ .

(Ct)

Later references.

File No. 17—1892

Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—4.

M ~~Part~~ B for April 1893

SUBJECT.

Memorial of Panchiah and Vobiah under Sentences of death to ~~H~~ H. H. the Maharaja of Mysore

---

(3)

Countermarked

W D 88—GPB—50,000—24-7-16

Memorial of Vobaiya and Papaiya.

The murder was a most brutal one, and the 1st Prisoner Vobaiya has from the beginning and throughout confessed his share in the crime and pointed out where the head of the deceased had been secreted besides giving information which led to the recovery of the articles worn by the deceased.

As to the 2d Memorialist Papaiya also there is ample Evidence. His own admission shows that he was a party to the Crime. The Evidence of Siddo Lingo (which although quite credible notwithstanding the S.-J's opinion to the Contrary) ~~although to the quite credible~~ has been relied upon by the Ch.-Judge.

Issue order below. 26/3/93

Sir

Submitted with said copy of the order duly signed by the Dewan Bahadur.

26/3/93. Recd 29th [illegible] 28/3

2

There is no doubt that
there has been a miscarriage
of justice in the acquittal
of the Orig! 2d Prisoner
Rangaya and the
non-prosecution of the
1st writ. Siddalingiah,
but so far as
the present Memorialists are concerned,
there is no reason to
doubt their guilt and
the justice of the sentence
of death passed upon them.
I accordingly beg to
recommend that their
Memorials be rejected
& submit herewith
for approval a Draft
order —

22/3/93

4/a

In the Matter of a Memorial

addressed to His Highness the Maharaja by Vadiraja and Papia Prisoners in Case No. 10 of 1892, on the file of the Sessions Judge, Nagar Division - Criminal Appeal Nos. 198 and 199 of 1892 on the file of the Chief Court of Mysore -

His Highness the Maharaja

has been pleased to pass the following

Order.

The Memorialists have been justly convicted of murder ~~by the Sentence to Suffer the Supreme~~ by the Court, and there exist no circumstances calling for any mitigation of the Sentence of death which has been passed upon them by the S. Judge and Confirmed by the Chief Court Mysore — March 1893

15/3/93

(General Serial No. 29.)

1893 10 MAR 93 J 925

From The Chief Judge of Mysore

To The ~~Secretary to the~~ Dewan of Mysore.

Dated 7th March 1893

Despatched 8th —

Received

Enclosures No. two

General No. 1037 } 188 —8.
No. 28

Section 64
File No 17 - 1892
Serial No 1

Forwards the accompanying memorial addressed to His Highness the Maha Rajah of Mysore by Vobiah and Pauperja, appellants in Criminal Appeals Nos. 198 and 199 of 1892 on the file of this Court, together with the records of the case.

J. Mss
9/3

Subd for orders with the usual memo
to the Dewan
11.3.93

No. 1037/28 Invitus

Bangalore 4th March 1893.

From.

T. R. A. Tumbo Chetty Esquire
Chief Judge of Mysore.

To,

Sir K. Seshadri Iyer K.C.S.I.
Dewan to His Highness the
Maha Rajah of
Mysore.

Sir,

I have the honor to forward the accompanying + memorial in Jamaresa, addressed to His Highness the Maha Rajah of Mysore by Dobiah and Pauping a, Appellants in Criminal Appeals Nos. 198 and 199 of 1892, on the file of the Chief Court of Mysore, under sentence of death.

The judgment of this Court in Appeal and the records of the case are herewith forwarded.

The execution of the sentence of death passed upon the prisoners has been suspended, pending the orders of Government

on

+ with a translation thereof in English.

on the Memorial.

I have the honor to be,
Sir,
Your most Obedient Servant;

A. J. Thurston Catlett
Clerk Judge.

Gen.

GOVERNMENT PRESS MYSORE

1a

To

His Highness the Maharaja of Mysore

—

Criminal Appeal Nos 198 & 199 of 1893, on the file of the Chief Court of Mysore

—

Appellants		Respondent
1. Vobaiya 2. Pauppaiya murder convicts in the Central Jail Bangalore	} ~~v~~	Government of Mysore

Appeal petition dated 24th February 1893 humbly submitted by the said convicts.

—

"We did not commit murder. Unjustly sentence of death has been passed upon us. On appeal to the Chief Judge, praying for our acquittal, an order confirming the decision of the Lower Court was passed. We have therefore submitted the

the matter to your Highness."

"We did not commit murder.

The Police severely beat us and said that we would be let off if we stated as dictated by them. We believed their words and being unable to endure their torture, we made an admission according to their dictation."

"We never confessed of our own free will. The Lower Court has unjustly passed capital punishment upon us placing reliance in the statements of the Police."

"We therefore pray that your Highness will look upon us with clemency and upon perusing the judgment of the Lower Court, will be pleased to annul the sentence of death passed upon us and dis-

cause

cause our release from here.

—— Mark of Vobaiya

——— Do — of Pampaiya.

Opinion of the Sessions Judge:-

The memorialists confessed their guilt and their confessions were strongly corroborated by the evidence adduced for the prosecution.

The Chief Court have upheld the conviction and sentence on appeal.

Sessions Judge
Nagar Division

Shimoga
3rd March 93.

ಶ್ರೀಮದ್ವಿಜಯೀಂದ್ರಯತಿಪ್ರಸನ್ನಕರಕಮಲೋದ್ಭವನಾದ ಶ್ರೀಮದ್ವಿದ್ಯಾಧೀಶತೀರ್ಥಶ್ರೀಪಾದಂಗಳವರು ಸಕಲಸಜ್ಜನಸಮ್ಮತರಾಗಿ ಶ್ರೀಮದ್ವಿದ್ಯಾಧೀಶಪೀಠವನ್ನಲಂಕರಿಸಿ ಸಕಲಶಾಸ್ತ್ರಪ್ರವಚನಪ್ರವೀಣರಾಗಿ ಸಕಲಸಜ್ಜನಸಂಸೇವ್ಯರಾಗಿ ಸಕಲಸಜ್ಜನಸಂರಕ್ಷಕರಾಗಿ ಸಕಲಸಜ್ಜನಸಂಪೂಜ್ಯರಾಗಿ ಸಕಲಸಜ್ಜನಸಂಸ್ತುತರಾಗಿ ಸಕಲಸಜ್ಜನಸಂಪೋಷಕರಾಗಿ ಸಕಲಸಜ್ಜನಸಂಪೋಷಿತ

(General Serial No. 29.)

9

2

1893

115-89.

12 APR. 93

J 105

Section Ch

File No 17 - 1892

Serial No 2

From The Registrar of the Chief Court, Mysore

To The Secretary to the Dewan of Mysore.

Dated 11th April/93

Despatched 12th

Received

Enclosures No.

General No. 15-20 } 188 —8 .
No. 46

Requests that the entire records in Criminal appeals Nos. 198 and 199 of 1892 on the file of this Court may be returned

J. Innes
12/4

Draft returning the records to the Registrar

~~Sent~~

~~The Registrar requesting ... Chief Secretary ... 30/3/93 ... draft~~

~~...~~

Subd

Letter No. 1037/28 of 7th ultimo was subd to the Chief Secretary with a draft to the Registrar Communicating the orders of H. H. the Maharaja on the memorials of Vobia & Papaiya appellants in the above Criminal appeals.

13/4/93.

No. 1520/46

2

Bangalore
11th April 1893.

From

The Registrar of the
Chief Court of Mysore

To

The Chief Secretary to the
Dewan of Mysore

Sir,

I am directed to request that the entire records in Criminal Appeals Nos 198 and 199 of 1892 on the file of this Court, forwarded with this office No 1037/28 dated 7th Instno, may be returned either to this Court or to the District Magistrate of Chitaldroog, who has called for the same.

I have the honor to be,
sir,
your most obedient Servant,

Ag: Registrar.

Ist.

11

3

Dated 13/4/93

15

No 1697
J. 942 encls Records
4

Section	Cs
File No	17 - 1892
Serial No	3

To

The Registrar of the
Chief Court of Mysore

Sir

With reference to
your letter No: 1520/46 dated
the 11th Instt, I am
directed to return the
entire records in cri:
:minal appeal Nos 198
and 199 of 1892 on the
file of the Chief Court
received with letter No:
1037/28 dated the 7th
Instt -

I have &c

13/4

Chief Secretary

13.4.93

No 16994

J. 948.

Section	Cb
File No	17-1892
Serial No	4

12

4

To

The Registrar of the
Chief Court of Mysore

Sir

I am directed to
forward herewith for
the information of the
Judges of the Chief Court
and for communica-
tion to Vobia and
Papiah prisoners in
case No: 10 of 1892 on the
file of the Sessions Judge,
Nagar Division, criminal
appeal Nos: 198 and
199 of 1892 on the file
of the Chief Court, copy of
order passed by His
Highness the Maharaja
in

in the matter of petitioners in
memorial

The records & Proceedings
of the case received with
the Chief Secretary's
Judges letter No: 1037/28 J
dated the 7th March 1928
have already been
forwarded with
returned into letter No 1697/942 of 13 2 28.

I have the
honour to be
Sir
Your most obedient
Chief Secretary

30.3.93